

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Trevion Anderson, #382594,	)	C/A No. 4:25-1423-DCC-TER
<i>aka Tre’Vion Anderson,</i>	)	
Petitioner,	)	
	)	
vs.	)	
	)	ORDER
Warden, Evans Correctional Institution,	)	
	)	
Respondent.	)	

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Petitioner is a state prisoner seeking habeas corpus relief under 28 U.S.C. § 2254. This case is before the Court because of Petitioner’s failure to comply with the Magistrate Judge’s Orders to pay the fee or apply for *in forma pauperis* status. ECF Nos. 5, 11.

A review of the record indicates that the Magistrate Judge twice ordered Petitioner to submit items needed to render this case into proper form within a time certain and specifically informed Petitioner that if he failed to do so, this case would be subject to dismissal. The Court has not received the fee or a motion for *in forma pauperis* from Petitioner and the time for compliance has passed.

The mail in which the Order was sent to Petitioner at the address provided when the case was filed has not been returned to the Court, thus it is presumed that Petitioner received the Order but has neglected to comply with it within the time permitted under the Order.

Petitioner’s lack of response to the Order indicates an intent to not prosecute this case, and subjects this case to dismissal. See Fed. R. Civ. P. 41(b) (district courts may dismiss an action if a Petitioner fails to comply with an order of the court.); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989) (dismissal with prejudice appropriate where

warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982) (court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

s/Donald C. Coggins, Jr.  
United States District Judge

July 15, 2025  
Spartanburg, South Carolina